

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

|   |                                      |
|---|--------------------------------------|
| In re:  | § Chapter 11                         |
| SERTA SIMMONS BEDDING, LLC, <i>et al.</i>   | § Case No. 23-90020 (DRJ)            |
|   | § (Jointly Administered)             |
| SERTA SIMMONS BEDDING, LLC, INVESCO<br>SENIOR SECURED MANAGEMENT, INC.,<br>CREDIT SUISSE ASSET MANAGEMENT, LLC,<br>BOSTON MANAGEMENT AND RESEARCH,<br>EATON VANCE MANAGEMENT, and BARINGS<br>LLC,   | § Adversary Proc. No. 23-09001 (DRJ) |
| <i>Plaintiffs and Counterclaim-Defendants,</i>  | §                                    |
| - against -   | §                                    |
| AG CENTRE STREET PARTNERSHIP L.P., AG<br>CREDIT SOLUTIONS NON-ECI MASTER FUND,<br>L.P., AG SF MASTER (L), L.P., AG SUPER FUND<br>MASTER, L.P., SILVER OAK CAPITAL, L.L.C.,<br>ASCRIBE III INVESTMENTS, LLC, COLUMBIA<br>CENT CLO 21 LIMITED, COLUMBIA CENT CLO<br>27 LIMITED, COLUMBIA FLOATING RATE<br>INCOME FUND, A SERIES OF COLUMBIA<br>FUNDS SERIES TRUST II, COLUMBIA<br>STRATEGIC INCOME FUND, A SERIES OF<br>COLUMBIA FUNDS SERIES TRUST I,<br>CONTRARIAN CAPITAL FUND I, L.P.,<br>CONTRARIAN CENTRE STREET<br>PARTNERSHIP, L.P., CONTRARIAN<br>DISTRESSED DEBT FUND, L.P., GAMUT<br>CAPITAL SSB, LLC, LCM XXII LTD., LCM XXIII<br>LTD., LCM XXIV LTD., LCM XXV LTD., LCM 26<br>LTD., LCM 27 LTD., LCM 28 LTD., NORTH STAR<br>DEBT HOLDINGS, L.P., SHACKLETON 2013- III<br>CLO, LTD., SHACKLETON 2013-IV-R CLO, LTD.,<br>SHACKLETON 2014-V-R CLO, LTD.,<br>SHACKLETON 2015-VII-R CLO, LTD.,<br>SHACKLETON 2017-XI CLO, LTD., Z CAPITAL<br>CREDIT PARTNERS CLO 2018-1 LTD., AND Z<br>CAPITAL CREDIT PARTNERS CLO 2019-1 LTD., | §                                    |
| <i>Defendants and Counterclaim-Plaintiffs.</i>  | §                                    |

**LCM APPELLANTS'**  
**DESIGNATION OF THE RECORD ON APPEAL**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure, LCM XXII Ltd., LCM XXIII Ltd., LCM XXIV Ltd., LCM XXV Ltd., LCM 26 Ltd., LCM 27 Ltd., and LCM 28 Ltd. (together, the "**LCM Appellants**"), by and through their undersigned counsel, respectfully submit the following designation of items for inclusion in the record on appeal in connection with the LCM Appellants' appeal from the final judgment entered in the above-captioned adversary proceeding on June 14 [Adversary ECF 328], which incorporated the findings of fact and conclusions of law contained in the Court's Memorandum Opinion dated June 6, 2023 [Adversary ECF 324].

The LCM Appellants designate each of the docket sheets and the following documents from the proceedings indicated in each of the tables below for inclusion in the record on appeal. The following designations of pleadings and matters of record include all exhibits attached or referred to in the designated items.

| <b>In re Serta Simmons Bedding, LLC, et al.,</b><br><b>Case No. 23-90020</b> |                   |   |
|--|-------------------|---|
| <b>Docket Date</b>   | <b>Docket No.</b> | <b>Description</b>  |
| 1/23/2023  | 1                 | Chapter 11 Voluntary Petition Non-Individual  |
| 1/23/2023  | 2                 | Emergency Motion of Debtors Pursuant to Bankruptcy Rule 1015(b) and Bankruptcy Rule 1015-1 for Order Directing Joint Administration of Chapter 11 Cases   |
| 1/24/2023  | 4                 | Designation of Complex Chapter 11 Bankruptcy Case   |
| 1/24/2023  | 11                | Emergency Motion of Debtors for Interim and Final Orders (I) Authorizing Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting (A) Liens and Providing Claims With Superpriority Administrative Expense Status and (B) Adequate Protection to Certain Prepetition Lenders, (III) Modifying Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief |

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| 1/24/2023 | 24  | Emergency Motion for Entry of Order (I) Scheduling Certain Hearing Dates and Deadlines, (II) Establishing Certain Protocols in Connection With Such Hearings, and (III) Granting Related Relief   |
| 1/24/2023 | 25  | Request for Emergency Consideration of Certain "First Day" Matters  |
| 1/24/2023 | 26  | Declaration of John Linker in Support of Debtors' Chapter 11 Petitions and First Day Relief   |
| 1/24/2023 | 27  | Declaration of Brent T. Banks in Support of Emergency Motion of Debtors for Interim and Final Orders (I) Authorizing Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting (A) Liens and Providing Claims With Superpriority Administrative Expense Status and (B) Adequate Protection to Certain Prepetition Lenders, (III) Modifying Automatic Stay, (IV) Scheduling a Final Hearing, and (V) Granting Related Relief |
| 1/24/2023 | 28  | Joint Chapter 11 Plan of Serta Simmons Bedding, LLC and Its Affiliated Debtor   |
| 1/24/2023 | 29  | Disclosure Statement for Joint Chapter 11 Plan of Serta Simmons Bedding, LLC and Its Affiliated Debtors   |
| 1/24/2023 | 31  | Debtors' Witness and Exhibit List for Emergency First Day Hearing on January 24, 2023   |
| 1/24/2023 | 32  | Agenda of Matters Set for Emergency Hearing on January 24, 2023 at 1:00P.M. (Central Prevailing Time)   |
| 1/24/2023 | 46  | Order for Joint Administration  |
| 1/24/2023 | 47  | Order Granting Complex Case Treatment   |
| 1/24/2023 | 61  | Notice of Filing First Day Hearing Demonstrative  |
| 1/24/2023 | 69  | Verified Statement of the Ad Hoc Priority Lender Group Pursuant to the Bankruptcy Rule 2019   |
| 1/24/2023 | 71  | Amended Agenda of Matters Set for Emergency Hearing on January 24, 2023 at 1:00P.M. (Central Prevailing Time)   |
| 1/24/2023 | 74  | The Ad Hoc Group of First Lien Lenders' Statement and Reservation of Rights with Respect to the Debtors' Requested First Day Relief   |
| 1/24/2023 | 83  | Interim Order (I) Authorizing Debtors to (A) Obtain Postpetition Financing and (B) Use of Cash Collateral, (II) Granting (A) Liens and Providing Superpriority Administrative Expense Status and (B) Adequate Protection to Certain Prepetition Lenders, and (III) Modifying Automatic Stay, (IV) Scheduling a Final Hearing and (V) Granting Related Relief  |
| 1/24/2023 | 104 | Order (I) Establishing Deadlines and Procedures for Filing of Claim, (II) Approving Form and Manner of Notice thereof, and (III) Granting Related   |

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| 1/24/2023 | 109 | Amended Interim Order (I) Authorizing Debtors to (A) Obtain Postpetition Financing and (B) Use Cash Collateral, (II) Granting (A) Liens and Providing Superpriority Administrative Expense Status and (B) Adequate Protection to Certain Prepetition Lenders, (III) Modifying Automatic Stay, (IV) Scheduling a Final Hearing and (V) Granting Related Relief |
| 1/24/2023 | 110 | Courtroom Minutes from hearing held January 24, 2023  |
| 1/24/2023 | 114 | Notice of Scheduling Conference Scheduled for January 27, 2023 at 3:30 P.M. (Central Time)  |
| 1/26/2023 | 137 | Supplement in Support of Debtors' Emergency Motion for Entry of Order (I) Scheduling Certain Hearing Dates and Deadlines, (II) Establishing Certain Protocols in Connection with Such Hearings, and (III) Granting Related Relief   |
| 1/26/2023 | 138 | PTL Lenders' Response to Ad Hoc Group of Non-PTL Term Lenders' Statement and Reservation of Rights  |
| 1/27/2023 | 184 | Notice of Filing of Revised Proposed Order (I) Scheduling Certain Hearing Dates and Deadline, (II) Establishing Certain Protocols in Connection with Such Hearings, and (III) Granting Related Relief   |
| 1/27/2023 | 190 | Statement of the LCM Lenders Joining the Ad Hoc Group of First Lien Lenders' Statement and Reservation of Rights  |
| 1/27/2023 | 193 | Transcript regarding First-Day Motions Hearing held on January 24, 2023 before Judge David R. Jones   |
| 1/28/2023 | 210 | Notice of Continued Scheduling Conference on February 1, 2023 at 12:00 p.m. (Central Time)  |
| 1/28/2023 | 211 | Notice of Rescheduling of Hearing Date to February 28, 2023 at 2:00 p.m. (Central Time)   |
| 1/30/2023 | 213 | Notice of Filing of Official Transcript   |
| 2/1/2023  | 225 | Notice of Filing of Further Revised Proposed Order (I) Scheduling Certain Hearing Dates and Deadlines, (II) Establishing Certain Protocols In Connection With Such Hearings, and (III) Granting Related Relief  |
| 2/1/2023  | 228 | Notice of Filing of Further Revised Proposed Order (I) Scheduling Certain Hearing Dates and Deadlines, (II) Establishing Certain Protocols in Connection with Such Hearings, and (III) Granting Related Relief  |
| 2/2/2023  | 267 | Order (I) Scheduling Certain Hearing Dates and Deadlines, (II) Establishing Certain Protocols in Connection with Such Hearings, and (III) Granting Related Relief   |
| 2/8/2023  | 268 | Notice of Hearing to Consider Approval of Disclosure Statement for Joint Chapter 11 Plan of Serta Simmons Bedding, LLC and Its Affiliated Debtors   |
| 2/17/2023 | 347 | The Ad Hoc Group of First Lien Lenders' Limited Objection to Debtors' Motion for a Final Order Authorizing the Debtors to Obtain Post-Petition Financing  |

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| 2/17/2023  | 348 | Objection of LCM Lenders to Debtors' Motion for a Final Order Authorizing the Debtors to Obtain Post-Petition Financing  |
| 2/17/2023  | 349 | Motion of Debtors for Entry of Order (I) Approving Disclosure Statement and Form and Manner of Notice of Disclosure Statement Hearing; (II) Establishing Solicitation and Voting Procedures; (III) Establishing Notice and Objection Procedures for Confirmation of Proposed Plan; (IV) Approving Notice Procedures for the Assumption or Rejection of Executory Contracts and Unexpired Leases; and (V) Granting Related Relief |
| 2/20/2023  | 354 | Notice of Cancellation of Hearing Scheduled for February 21, 2023 at 12:00 P.M. (Central Time)   |
| 2/21/2023  | 356 | Notice of Rescheduling of Hearing Date to March 1, 2023 at 1:00 P.M. (Central Time)  |
| 2/22/2023  | 358 | Limited Objection of the Official Committee of Unsecured Creditors to Debtors' Motion for Entry of a Final Order Authorizing the Debtors to Obtain Postpetition Financing, Use of Cash Collateral and Granting Related Relief  |
| 2/27/2023  | 370 | LCM Lenders' Witness and Exhibit List for the Hearing on Debtor's Motion for a Final Order Authorizing the Debtors to Obtain Post-Petition Financing   |
| 2/27/2023  | 371 | Debtors' Witness and Exhibit List for Hearing on March 1. 2023   |
| 2/27/2023  | 372 | Witness and Exhibit List of the Official Committee of Unsecured Creditors for Hearing on March 1, 2023 at 1:00 PM (CT)   |
| 2/27/2023  | 373 | The PTL Lender Group's Witness and Exhibit List for March 1, 2023 Hearing  |
| 2/27/2023  | 374 | Ad Hoc Group of First Lien Lenders' Witness and Exhibit List for Hearing on March 1, 2023  |
| 2/27/2023  | 375 | Debtors' Omnibus Reply to Objections to DIP Motion   |
| 2/27/2023  | 376 | Ad Hoc Priority Lender Group's Reply in Support of Debtors' Motion for a Final Order Authorizing the Debtors to Obtain PostPetition Financing  |
| 02/28/2023 | 381 | Agenda of Matters Set for Hearing on March 1, 2023 at 1:00 P.M. (Central Time)   |
| 3/1/2023   | 390 | Amended Agenda for Matters Set for Hearing on March 1, 2023 at 1:00 P.M. (Central Time)  |
| 3/1/2023   | 393 | Courtroom Minutes from hearing held March 1,2023   |
| 3/1/2023   | 394 | Final Order (I) Authorizing Debtors to (A) Obtain Postpetition Financing and (B) Use of Cash Collateral, (II) Granting (A) Liens and Providing Superpriority Administrative Expense Status and (B) Adequate Protection to Certain Prepetition Lenders, (III) Modifying Automatic Stay, and (IV) Granting Related Relief  |

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| 3/3/2023  | 406 | Amended Final Order (I) Authorizing Debtors to (A) Obtain Postpetition Financing and (B) Use of Cash Collateral, (II) Granting (A) Liens and Providing Superpriority Administrative Expense Status and (B) Adequate Protection to Certain Prepetition Lenders, (III) Modifying Automatic Stay, and (IV) Granting Related Relief  |
| 3/5/2023  | 415 | Transcript Regarding Status Conference held on March 1, 2023 before Judge David R. Jones   |
| 3/6/2023  | 417 | Notice of Filing of Official Transcript  |
| 3/7/2023  | 427 | Disclosure Statement for Joint Chapter 11 Plan of Serta Simmons Bedding, LLC and Its Affiliated Debtors  |
| 3/17/2023 | 499 | The Ad Hoc Group of First Lien Lenders' Statement and Reservation of Rights With Respect to the Motion of Debtors For Entry of Order (I) Approving Disclosure Statement and Form and Manner of Notice of Disclosure Statement Hearing; (II) Establishing Solicitation and Voting Procedures; (III) Establishing Notice and Objection Procedures for Confirmation of Proposed Plan; (IV) Approving Notice Procedures for the Assumption or Rejection of Executory Contracts and Unexpired Leases; and (V) Granting Related Relief                           |
| 3/17/2023 | 501 | Joinder of LCM Lenders to The Ad Hoc Group of First Lien Lenders' Statement and Reservation of Rights With Respect to the Motion of Debtors for Entry of Order (I) Approving Disclosure Statement and Form and Manner of Notice of Disclosure Statement Hearing; (II) Establishing Solicitation and Voting Procedures; (III) Establishing Notice and Objection Procedures for Confirmation of Proposed Plan; (IV) Approving Notice Procedures for the Assumption or Rejection of Executory Contracts and Unexpired Leases; and (V) Granting Related Relief |
| 3/23/2023 | 540 | Order (I) Approving Disclosure Statement and Form and Manner of Notice of Disclosure Statement Hearing; (II) Establishing Solicitation and Voting Procedures; (III) Establishing Notice and Objection Procedures for Confirmation of Proposed Plan; (IV) Approving Notice Procedures for the Assumption or Rejection of Executory Contracts and Unexpired Leases; and (V) Granting Related Relief  |
| 3/23/2023 | 544 | Joint Chapter 11 Plan of Serta Simmons Bedding, LLC and Its Affiliated Debtors   |
| 3/23/2023 | 545 | Disclosure Statement for Joint Chapter 11 Plan of Serta Simmons Bedding, LLC and its Affiliated Debtors  |
| 3/25/2023 | 559 | Transcript regarding Disclosure Statement Hearing held on March 23, 2023 before Judge David R. Jones   |
| 5/12/2023 | 852 | LCM Lenders' Witness and Exhibit List for Hearing on May 15, 2023  |
| 5/12/2023 | 853 | Debtors' Exhibit and Witness List and Debtors' Exhibits for Hearing Beginning May 15, 2023   |
| 5/12/2023 | 855 | Debtors' Exhibits for Hearing Beginning May 15, 2023   |

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| 5/12/2023 | 856  | Debtors' Exhibits for Hearing Beginning May 15, 2023                                    |
| 5/12/2023 | 857  | Debtors' Exhibits for Hearing Beginning May 15, 2023                                    |
| 5/12/2023 | 857  | Debtors' Exhibits for Hearing Beginning May 15, 2023                                    |
| 5/12/2023 | 857  | Debtors' Exhibits for Hearing Beginning May 15, 2023                                    |
| 5/12/2023 | 861  | SEALED Debtors' Exhibits for Hearing Beginning May 15, 2023                             |
| 5/12/2023 | 862  | SEALED Debtors' Exhibits for Hearing Beginning May 15, 2023                             |
| 5/12/2023 | 863  | SEALED Debtors' Exhibits for Hearing Beginning May 15, 2023                             |
| 5/12/2023 | 864  | SEALED Debtors' Exhibits for Hearing Beginning May 15, 2023                             |
| 5/12/2023 | 865  | SEALED Debtors' Exhibits for Hearing Beginning May 15, 2023                             |
| 5/12/2023 | 866  | SEALED Debtors' Exhibits for Hearing Beginning May 15, 2023                             |
| 5/12/2023 | 867  | SEALED Debtors' Exhibits for Hearing Beginning May 15, 2023                             |
| 5/15/2023 | 908  | SEALED Debtors' Corrected Exhibits for Hearing Beginning May 15, 2023                   |
| 5/16/2023 | 914  | Notice of Filing of Debtors' Demonstrative No. 1  |
| 5/17/2023 | 932  | Debtors' Exhibits for Hearing Beginning May 15, 2023                                    |
| 5/17/2023 | 933  | SEALED Debtors' Exhibits for Hearing Beginning May 15, 2023                             |
| 5/18/2023 | 941  | SEALED Debtors' Exhibits for Hearing Beginning May 15, 2023                             |
| 5/18/2023 | 944  | SEALED Debtors' Exhibit for Hearing Beginning May 15, 2023                              |
| 5/19/2023 | 960  | SEALED Debtors' Exhibit for Hearing Beginning May 15, 2023                              |
| 5/25/2023 | 1001 | Serta Simmons Bedding LLC's Notice of Filing Confirmation Hearing Closing Demonstrative |

**SERTA SIMMONS BEDDING, LLC, INVESCO SENIOR SECURED  
MANAGEMENT, INC., CREDIT SUISSE ASSET MANAGEMENT, LLC, BOSTON  
MANAGEMENT AND RESEARCH, EATON VANCE MANAGEMENT, and  
BARINGS LLC,**

v.

**AG CENTRE STREET PARTNERSHIP L.P., AG CREDIT SOLUTIONS NON-ECI  
MASTER FUND, L.P., AG SF MASTER (L), L.P., AG SUPER FUND MASTER, L.P.,  
SILVER OAK CAPITAL, L.L.C., ASCRIBE III INVESTMENTS, LLC, COLUMBIA  
CENT CLO 21 LIMITED, COLUMBIA CENT CLO 27 LIMITED, COLUMBIA  
FLOATING RATE INCOME FUND, A SERIES OF COLUMBIA FUNDS SERIES  
TRUST II, COLUMBIA STRATEGIC INCOME FUND, A SERIES OF COLUMBIA  
FUNDS SERIES TRUST I, CONTRARIAN CAPITAL FUND I, L.P., CONTRARIAN  
CENTRE STREET PARTNERSHIP, L.P., CONTRARIAN DISTRESSED DEBT  
FUND, L.P., GAMUT CAPITAL SSB, LLC, LCM XXII LTD., LCM XXIII LTD., LCM  
XXIV LTD., LCM XXV LTD., LCM 26 LTD., LCM 27 LTD., LCM 28 LTD., NORTH  
STAR DEBT HOLDINGS, L.P., SHACKLETON 2013- III CLO, LTD., SHACKLETON 2013-  
IV-R CLO, LTD., SHACKLETON 2014-V-R CLO, LTD., SHACKLETON 2015-  
VII-R CLO, LTD., SHACKLETON 2017-XI CLO, LTD., Z CAPITAL CREDIT  
PARTNERS CLO 2018-1 LTD., AND Z CAPITAL CREDIT PARTNERS CLO 2019-1  
LTD.,**

**Adversary Case No. 23-09001**

| <b>Docket Date</b> | <b>Docket No.</b> | <b>Description</b>   |
|--------------------|-------------------|--|
| 1/24/2023          | 1                 | Adversary Complaint  |
| 1/24/2023          | 15                | Notice of Scheduling Conference Scheduled for January 27, 2023 at 3:30 P.M. (Central Time)   |
| 1/26/2023          | 18                | Status Report  |
| 1/28/2023          | 19                | Courtroom Minutes from hearing held January 24, 2023   |
| 1/28/2023          | 20                | Notice of Continued Scheduling Conference on February 1, 2023 at 12:00 p.m. (Central Time)   |
| 1/31/2023          | 21                | Transcript regarding Motion to Extend the Stay held on January 27, 2023 before Judge David R. Jones  |
| 2/1/2023           | 25                | Notice of Filing of Official Transcript  |
| 2/1/2023           | 26                | Notice of Filing of Further Revised Proposed Order (I) Scheduling Certain Hearing Dates and Deadlines, (II) Establishing Certain Protocols in Connection with Such Hearings, and (III) Granting Related Relief   |
| 2/1/2023           | 27                | [Ad Hoc Group of First Lien Lenders' Proposed] Order (I) Scheduling Certain Hearing Dates and Deadlines, (II) Establishing Certain Protocols in Connection with Such Hearings, and (III) Granting Related Relief |

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| 2/1/2023  | 28 | Notice of Filing Redline of the [Ad Hoc Group of First Lien Lenders' Proposed] Order (I) Scheduling Certain Hearing Dates and Deadlines, (II) Establishing Certain Protocols in Connection with Such Hearings, and (III) Granting Related Relief |
| 2/1/2023  | 29 | Notice of Filing Redline of the [Ad Hoc Group of First Lien Lenders' Proposed] Order (I) Scheduling Certain Hearing Dates and Deadlines, (II) Establishing Certain Protocols in Connection with Such Hearings, and (III) Granting Related Relief |
| 2/2/2023  | 32 | Order (I) Scheduling Certain Hearing Dates and Deadlines, (II) Establishing Certain Protocols in Connection with Such Hearings, and (III) Granting Related Relief  |
| 2/14/2023 | 38 | Amended Adversary Complaint  |
| 2/24/2023 | 67 | Stipulated Protective Order  |
| 2/24/2023 | 68 | Answering Defendants' Answer to the Amended Adversary Complaint, Counterclaims and Third-Party Claims  |
| 2/24/2023 | 69 | Serta Simmons Bedding, LLC's Motion for Summary Judgment   |
| 2/24/2023 | 70 | Serta Simmons Bedding, LLC's Statement of Uncontroverted Facts in Support of Their Motion for Summary Judgment   |
| 2/24/2023 | 71 | Motion for Entry of an Order Authorizing Serta Simmons Bedding, LLC to File Confidential Documents Under Seal  |
| 2/24/2023 | 72 | Sealed Documents/Exhibits Nos. 1, 2, 3, 4, 5, 6, 8, 10, 25, 26, 27 filed Under Sealed in Connection with Serta Simmons Bedding, LLC's Statement of Uncontroverted Facts in Support of Their Motion for Summary Judgment                          |
| 2/24/2023 | 73 | Lenders Plaintiffs' Motion for Summary Judgment  |
| 3/3/2023  | 74 | Stipulated Protective Order  |
| 3/6/2023  | 76 | Stipulation between and Among the Debtors, the PTL Lenders, the DJ Adversary Proceeding Defendants, the Stay Adversary Defendants, and the Committee Governing Participation of the Committee in the Adversary Proceedings                       |
| 3/15/2023 | 77 | Lender Plaintiffs' Amended Motion for Summary Judgment   |
| 3/16/2023 | 78 | Emergency Motion for Entry of an Order Authorizing the LCM Defendants to File Confidential Documents Under Seal  |
| 3/16/2023 | 79 | SEALED LCM Defendants' Memorandum of Law in Opposition to Plaintiffs' Motion for Summary Judgment  |
| 3/16/2023 | 80 | Redacted LCM Defendants' Memorandum of Law in Opposition to Plaintiffs' Motion for Summary Judgment  |
| 3/16/2023 | 81 | Declaration of Neil Lieberman in Support of the LCM Defendants' Opposition to Summary Judgment with Exhibits #3, 6, 21, 22   |
| 3/16/2023 | 82 | Declaration of Neil Lieberman in Support of the LCM Defendants' Opposition to Summary Judgment with SEALED Exhibits  |

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| 3/16/2023 | 83  | Declaration of Farboud Tavangar in Support of the LCM Defendants' Opposition to Summary Judgment  |
| 3/16/2023 | 84  | Declaration of Professor Vincent Buccola in Support of the LCM Defendants' Opposition to Summary Judgment   |
| 3/16/2023 | 85  | Serta Simmons Bedding, LLC's Response to Answering Defendants' Counterclaims  |
| 3/16/2023 | 87  | SEALED Excluded Lenders' Memorandum of Law in Opposition to Plaintiffs' Motion for Partial Summary Judgment   |
| 3/16/2023 | 89  | Expert Declaration of Sarah M. Ward   |
| 3/16/2023 | 90  | Excluded Lenders' Counterstatement of Controverted Facts in Opposition to Plaintiffs' Motion for Partial Summary Judgment   |
| 3/17/2023 | 91  | Exhibits to the Excluded Lenders' Memorandum of Law in Opposition to Plaintiffs' Motion for Partial Summary Judgment  |
| 3/17/2023 | 92  | Declaration of Anne E. Beaumont   |
| 3/17/2023 | 98  | SEALED Declaration of Michael Hanigan   |
| 3/17/2023 | 99  | SEALED Declaration of Erik Kreutzer   |
| 3/17/2023 | 100 | SEALED Declaration of Theodore Kwon   |
| 3/17/2023 | 101 | SEALED Declaration of Ryan Mollett  |
| 3/17/2023 | 102 | SEALED Declaration of Marti P. Murray   |
| 3/17/2023 | 103 | SEALED Declaration of Daniel Ryan   |
| 3/17/2023 | 104 | Motion for Entry of an Order Authorizing the Excluded Lenders to File Under Seal Portions of Their Memorandum of Law in Opposition to Plaintiffs' Motions for Partial Summary Judgment and Certain Exhibits Thereto             |
| 3/17/2023 | 105 | Order Granting Motion for Entry of Order Authorizing the Excluded Lenders to File Under Seal Portions of Their Memorandum of Law in Opposition to Plaintiffs' Motions for Partial Summary Judgment and Certain Exhibits Thereto |
| 3/17/2023 | 106 | Order Authorizing LCM Defendants to File Confidential Documents Under Seal  |
| 3/24/2023 | 110 | Serta Simmons Bedding, LLC's Reply Memorandum of Law in Further Support of Its Motion for Summary Judgment  |
| 3/24/2023 | 111 | SEALED Serta Simmons Bedding, LLC's Reply Memorandum of Law in Further Support of Its Motion for Summary Judgment   |
| 3/24/2023 | 112 | Serta Simmons Bedding, LLC's Response to the Drop Down Group Defendants' Additional Material Facts Included in the Counterstatement of Controverted Facts   |
| 3/24/2023 | 113 | Motion for Entry of an Order Authorizing Serta Simmons Bedding, LLC to File Confidential Documents Under Seal   |

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| 3/24/2023 | 114 | Reply Memorandum in Further Support of Lenders Plaintiffs' Motion for Summary Judgment filed by Invesco Senior Secured Management, Inc., Boston Management and Research, Credit Suisse Asset Management, LLC, Easton Vance Management, and Barings, LLC |
| 3/27/2023 | 116 | Emergency Motion Challenging Assertion of Privilege   |
| 3/27/2023 | 118 | Amended Agenda of Matters Set for Hearing on March 28, 2023 at 9:00 A.M. (Central Time)   |
| 3/28/2023 |     | Courtroom Minutes for hearing held on March 28, 2023 before Judge David R. Jones  |
| 3/28/2023 |     | Transcript Order Form (regarding hearing held 3/28/2023)  |
| 3/28/2023 | 123 | PDF with audio file of hearing on 3/28/2023   |
| 3/31/2023 | 133 | Transcript for Summary Judgment Hearing held on 3/28/2023   |
| 4/6/2023  | 141 | Order on Motion for Summary Judgment  |
| 4/6/2023  | 142 | Order on Motion for Summary Judgment  |
| 4/6/2023  | 144 | Joint Notice of Appeal of Order on Motion for Summary Judgment by LCM Appellants  |
| 4/6/2023  | 146 | Answer to Amended Complaint and Counterclaims by LCM Defendants   |
| 4/21/2023 | 180 | Serta Simmons Bedding LLC's Response to Answering Defendants' Amended Counterclaims   |
| 4/26/2023 | 189 | Transcript re: Emergency Motion for Entry of an Order (I) Approving Plaintiffs' Proposed Discovery Schedule, and (II) Limiting Depositions, or in the Alternative, to Schedule a Status Conference held on 4/24/23 before Judge David R. Jones.         |
| 4/28/2023 | 191 | Answer to LCM Defendants' Counterclaims by PTL Lender Group   |
| 5/4/2023  | 208 | Stipulated Order Regarding the Bifurcation of Liability and Damages   |
| 5/12/2023 | 229 | Agenda for Hearing on 5/15/2023   |
| 5/12/2023 | 230 | Excluded Lenders Defendants' May Call Witness and Exhibit List for Trial Schedule to Begin on May 14, 2023 at 9:30 A.M. (CDT)   |
| 5/12/2023 | 231 | Excluded Lender Defendants' May Call Witness and Supplemental Exhibit List for Trial Schedule to Begin on May 14, 2023 at 9:30 A.M. (CDT)   |
| 5/12/2023 | 232 | LCM Lenders' Witness and Exhibit List   |
| 5/12/2023 | 233 | PTL Lender Group's Witness and Exhibit List   |
| 5/12/2023 | 234 | Serta Simmons Bedding LLC's Witness and Exhibit List  |
| 5/12/2023 | 236 | Excluded Lender Defendants' Defense Exhibits  |
| 5/12/2023 | 237 | Excluded Lender Defendants' Defense Exhibits  |

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| 5/13/2023 | 238 | SEALED Excluded Lender Defendants' Defense Exhibits  |
| 5/14/2023 | 240 | Excluded Lender Defendants' Pretrial Memorandum of Law   |
| 5/14/2023 | 241 | SEALED Excluded Lender Defendants' Pretrial Memorandum of Law  |
| 5/14/2023 | 242 | SEALED Serta Simmons Bedding LLC's Pretrial Memorandum of Law  |
| 5/14/2023 | 243 | LCM Lenders' Pretrial Memorandum of Law  |
| 5/14/2023 | 244 | SEALED PTL Lenders' Pretrial Memorandum of Law   |
| 5/14/2023 | 245 | SEALED LCM Lenders' Pretrial Memorandum of Law   |
| 5/14/2023 | 248 | SEALED Excluded Lender Defendants' Defense Exhibits  |
| 5/14/2023 | 250 | SEALED Excluded Lender Defendants' Defense Exhibits  |
| 5/14/2023 | 252 | SEALED Excluded Lender Defendants' Defense Exhibits  |
| 5/14/2023 | 253 | Amended Agenda for Hearing on 5/15/2023  |
| 5/14/2023 | 254 | SEALED Excluded Lenders Defendants' Defense Exhibits   |
| 5/14/2023 | 255 | Exhibit and Witness List Filed by Serta Simmons Bedding LLC  |
| 5/14/2023 | 256 | Excluded Lenders Defendants' Defense Exhibits  |
| 5/14/2023 | 257 | Excluded Lenders Defendants' Defense Exhibits  |
| 5/14/2023 | 259 | Excluded Lender Defendants' Defense Exhibits   |
| 5/15/2023 | 262 | 5th Circuit Order Granting Permission to Appeal and Denying Motion to Expedite Appeal                                      |
| 5/16/2023 | 263 | Transcript re: Confirmation Day One (Morning Session) held on May 15, 2023 before Judge David R. Jones                     |
| 5/16/2023 | 264 | SEALED Excluded Lender Defendants' Second Amended May Call Witness List and Supplemental Exhibit List and Related Exhibits |
| 5/16/2023 | 265 | Excluded Lender Defendants' Defense Exhibits   |
| 5/17/2023 | 271 | Debtors' Second Amended Witness List and Joint Exhibit List for Hearing Commencing on May 15, 2023                         |
| 5/18/2023 | 273 | Transcript re: Confirmation Day One – Afternoon Session (Via Zoom) held on May 15, 2023 before Judge David R. Jones.       |
| 5/18/2023 | 275 | Debtors' Third Amended Witness List and Joint Exhibit List for Hearing Commencing on May 15, 2023                          |
| 5/19/2023 | 277 | Transcript re: Confirmation Day Two – Afternoon Session (Via Zoom) held on May 16, 2023 before Judge David R. Jones        |
| 5/19/2023 | 279 | Debtors' Fourth Amended Witness List and Joint Exhibit List for Hearing Commencing on May 15, 2023                         |
| 5/19/2023 | 280 | Exhibits Admitted by Stipulation of the Parties  |

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| 5/21/2023 | 282 | Transcript RE: Confirmation Day Three - Morning Session (Via Zoom) held on May 17, 2023 before Judge David R. Jones.   |
| 5/21/2023 | 283 | Transcript RE: Confirmation Day Three - Afternoon Session (Via Zoom) held on May 17, 2023 before Judge David R. Jones. |
| 5/21/2023 | 285 | Transcript RE: Confirmation Day Four - Morning Session (Via Zoom) held on May 18, 2023 before Judge David R. Jones.    |
| 5/21/2023 | 286 | Transcript RE: Confirmation Day Four - Afternoon Session (Via Zoom) held on May 18, 2023 before Judge David R. Jones.  |
| 5/23/2023 | 291 | LCM Lenders' Post-Trial Memorandum of Law  |
| 5/23/2023 | 292 | SEALED LCM Lenders' Post-Trial Memorandum of Law   |
| 5/23/2023 | 293 | LCM Lenders' Proposed Findings of Fact and Conclusions of Law  |
| 5/23/2023 | 294 | SEALED LCM Lenders' Proposed Findings of Fact and Conclusions of Law   |
| 5/23/2023 | 296 | Excluded Lenders' Proposed Findings of Fact and Conclusions of Law   |
| 5/23/2023 | 297 | SEALED Excluded Lenders' Proposed Findings of Fact and Conclusions of Law  |
| 5/23/2023 | 299 | Excluded Lenders' Post-Trial Memorandum of Law   |
| 5/23/2023 | 300 | SEALED Excluded Lenders' Post-Trial Memorandum of Law  |
| 5/23/2023 | 302 | Serta Simmons Bedding LLC's Proposed Findings of Fact and Conclusions of Law   |
| 5/25/2023 | 314 | Excluded Lenders' Notice of Filing Confirmation Hearing Closing Demonstrative  |
| 5/25/2023 | 316 | PTL Lender Group's Notice of Filing Confirmation Hearing Closing Demonstrative   |
| 5/25/2023 | 318 | Transcript re: Confirmation Closing Arguments held on May 25, 2023 before Judge David R. Jones                         |
| 6/6/2023  | 324 | Memorandum Opinion   |
| 6/9/2023  | 325 | Notice of Filing of Post-Trial Judgment  |
| 6/14/2023 | 328 | Final Judgment   |
| 6/20/2023 | 330 | LCM Lenders' Joint Notice of Appeal  |
| 6/22/2023 | 332 | Clerk's Notice of Filing of Appeal   |

**SERTA SIMMONS BEDDING, LLC, INVESCO SENIOR SECURED  
MANAGEMENT, INC., CREDIT SUISSE ASSET MANAGEMENT, LLC, BOSTON  
MANAGEMENT AND RESEARCH, EATON VANCE MANAGEMENT, and  
BARINGS LLC,**

v.

**AG CENTRE STREET PARTNERSHIP L.P., AG CREDIT SOLUTIONS NON-ECI  
MASTER FUND, L.P., AG SF MASTER (L), L.P., AG SUPER FUND MASTER, L.P.,  
SILVER OAK CAPITAL, L.L.C., ASCRIBE III INVESTMENTS, LLC, COLUMBIA  
CENT CLO 21 LIMITED, COLUMBIA CENT CLO 27 LIMITED, COLUMBIA  
FLOATING RATE INCOME FUND, A SERIES OF COLUMBIA FUNDS SERIES  
TRUST II, COLUMBIA STRATEGIC INCOME FUND, A SERIES OF COLUMBIA  
FUNDS SERIES TRUST I, CONTRARIAN CAPITAL FUND I, L.P., CONTRARIAN  
CENTRE STREET PARTNERSHIP, L.P., CONTRARIAN DISTRESSED DEBT  
FUND, L.P., GAMUT CAPITAL SSB, LLC, NORTH STAR DEBT HOLDINGS, L.P.,  
SHACKLETON 2013- III CLO, LTD., SHACKLETON 2013-IV-R CLO, LTD.,  
SHACKLETON 2014-V-R CLO, LTD., SHACKLETON 2015-VII-R CLO, LTD.,  
SHACKLETON 2017-XI CLO, LTD., Z CAPITAL CREDIT PARTNERS CLO 2018-1  
LTD., AND Z CAPITAL CREDIT PARTNERS CLO 2019-1 LTD., LCM XIII L.P.,  
LCM XIV L.P., LCM XV L.P., LCM XVI L.P., LCM XVII L.P., LCM XVIII L.P., LCM  
XIX L.P., LCM XX L.P., LCM XXI L.P., LCM XXII LTD., LCM XXIII LTD., LCM  
XXIV LTD., LCM XXV LTD., LCM 26 LTD., LCM 27 LTD. and LCM 28 LTD.,**

**Adversary Case No. 23-03007**

| <b>Docket Date</b> | <b>Docket No.</b> | <b>Description</b>  |
|--------------------|-------------------|---|
| 1/24/2023          | 1                 | Adversary Complaint   |
| 1/24/2023          | 2                 | Declaration of Harvey Tepner in Support of Debtors' Emergency Motion for an Order (I) Declaring the Automatic Stay Applies to Certain Non-Debtor Parties or Alternatively Extending the Automatic Stay to Certain Non-Debtor Parties and (II) Preliminary Enjoining Such Prepetition Action |
| 1/24/2023          | 3                 | Debtors' Emergency Motion for an Order (I) Declaring that the Automatic Stay Applies to Certain Non-Debtor Parties or Alternatively Extending the Automatic Stay in Certain Non-Debtor Parties and (II) Preliminary Enjoining the Prepetition Action  |
| 1/27/2023          | 32                | Courtroom Minutes for hearing held January 27, 2023 before Judge David R. Jones   |
| 1/28/2023          | 35                | Notice of Continued Scheduling Conference on February 1, 2023 at 12:00 p.m.   |
| 1/31/2023          | 49                | Transcript regarding Motion to Extend the Stay held on January 27, 2023 before Judge David R. Jones   |

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| 1/31/2023 | 50  | LCM Lenders' Unopposed Emergency Motion to Intervene   |
| 2/1/2023  | 53  | Order Granting LCM Lenders' Unopposed Emergency Motion to Intervene  |
| 2/2/2023  | 66  | Order Temporarily Staying or Enjoining Certain Prepetition Actions   |
| 2/2/2023  | 67  | Order (I) Scheduling Certain Hearing Dates and Deadlines, (II) Establishing Certain Protocols in Connection with Such Hearings, and (III) Granting Related Relief  |
| 2/2/2023  | 68  | Transcript regarding Motion Hearing held on February 1, 2023 before Judge David R. Jones   |
| 2/3/2023  | 69  | Notice of Filing of Official Transcript  |
| 2/13/2023 | 77  | Fed. R. Bankr. P. 7001 Corporate Disclosure Statement of the LCM Lender Defendants   |
| 2/15/2023 | 84  | PTL Lenders' Unopposed Emergency Motion to Intervene   |
| 2/24/2023 | 97  | The Ad Hoc Group of First Lien Lenders' Objection to Debtors' Emergency Motion for an Order (A) Declaring that the Automatic Stay Applies to Certain Non-Debtor Parties or Alternatively Extending the Automatic Stay to Certain Non-Debtor Parties and (B) Preliminarily Enjoining the Prepetition Action                       |
| 2/24/2023 | 98  | LCM Lenders' (1) Objection to Debtors' Emergency Motion for an Order (A) Declaring that the Automatic Stay Applies to Certain Non-Debtor Parties or Alternatively Extending the Automatic Stay to Certain Non-Debtor Parties and (B) Preliminarily Enjoining the Prepetition Action, and (2) Joinder in Ad Hoc Group's Objection |
| 2/24/2023 | 99  | Declaration of Neil Lieberman Support of LCM Lenders' Objection to Debtors' Request for Injunctive Relief  |
| 2/27/2023 | 100 | Order Granting PTL Lenders' Unopposed Emergency Motion to Intervene  |
| 3/6/2023  | 103 | Stipulation Between and Among the Debtors, the PTL Lenders, the DJ Adversary Proceeding Defendants, the Stay Adversary Defendants, and the Committee Governing Participation of the Committee in the Adversary Proceedings   |

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| 3/6/2023  | 104 | Debtors' Omnibus Reply to Objections to Debtors' Emergency Motion for an Order (I) Declaring that the Automatic Stay Applies to Certain Non-Debtor Parties or Alternatively Extending the Automatic Stay to Certain Non-Debtor Parties and (II) Preliminarily Enjoining the Prepetition Action             |
| 3/6/2023  | 105 | PTL Lender Intervenors' Reply in Further Support of Debtors' Emergency Motion for an Order (I) Declaring that the Automatic Stay Applies to Certain Non-Debtor Parties or Alternatively Extending the Automatic Stay to Certain Non-Debtor Parties and (II) Preliminarily Enjoining the Prepetition Action |
| 3/9/2023  | 107 | LCM Lenders' Witness and Exhibit List for Hearing on March 13, 2023  |
| 3/9/2023  | 108 | Debtors' Witness and Exhibit List for Hearing on March 13, 2023  |
| 3/9/2023  | 109 | PTL Lender Group's Witness and Exhibit List for Hearing on March 13, 2023 at 2:00 P.M. (Central Time)  |
| 3/9/2023  | 110 | The Ad Hoc Group of First Lien Lenders' Witness and Exhibit List for Hearing on March 13, 2023   |
| 3/10/2023 | 111 | Agenda of Matters Set for Hearing on March 13, 2023 at 2:00 P.M. (Central Time)  |
| 3/13/2023 | 115 | Courtroom Minutes for hearing held March 13, 2023 before Judge David R. Jones  |
| 3/15/2023 | 118 | Transcript regarding Status Conference held on March 13, 2023 before Judge David R. Jones  |
| 3/16/2023 | 119 | Notice of Filing of Official Transcript  |
| 3/20/2023 | 124 | Order (I) Extending the Automatic Stay in Certain Non-Debtor Parties and (II) Enjoining the Prepetition Actions  |

Dated: July 6, 2023  
New York, NY

Respectfully submitted,  
**HOLWELL SHUSTER & GOLDBERG LLP**

/s/ Neil R. Lieberman

Michael Shuster (admitted *pro hac vice*)  
Vincent Levy (admitted *pro hac vice*)  
Neil R. Lieberman (admitted *pro hac vice*)  
Brian T. Goldman (admitted *pro hac vice*)  
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*Counsel for the LCM Appellants*

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing was served by electronic delivery on all persons and entities receiving ECF notice in this adversary proceeding on July 6, 2023.

*/s/ Neil R. Lieberman*  
Neil R. Lieberman